

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

TROY D. NEWTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv1126-W
	)	
NATIONAL WARRANTY OF	)	
FLORIDA, INC., et al.,	)	
	)	
Defendants.	)	

**ORDER**

The parties are hereby reminded of the obligation, imposed by Rule 26(f) of the Federal Rules of Civil Procedure, to confer and to develop a proposed discovery plan. The Rule 26(f) report containing the discovery plan shall be filed as soon as practicable but not later than January 17, 2006.

The longstanding practice in this district is that dispositive motions shall be filed no later than 90 days prior to the pretrial date. If the parties seek to vary from that schedule, they should present, in the plan, specific case related reasons for the requested variance.

This case will be set for trial before the undersigned judge during one of that judge's regularly scheduled civil trial terms. The pretrial date is normally set within 4 - 6 weeks of a scheduled trial term. The dates of each judge's civil trial terms are available on the court's website, [www.almd.uscourts.gov](http://www.almd.uscourts.gov).

The court may or may not hold a scheduling conference before issuing a scheduling order. If the court holds a scheduling conference, counsel may participate in the scheduling conference by conference call.

The scheduling order entered by the court will follow the form of the Uniform Scheduling Order adopted by the judges of this court. The Uniform Scheduling Order is also available on the court's website.

The report of the parties should comply with Form 35 of the Appendix of Forms to the Federal Rules of Civil Procedure.

Previously, the parties were notified of the assignment of this case to a Magistrate Judge and the right to request reassignment. The parties have indicated their consent to a Magistrate Judge's jurisdiction by not requesting reassignment; therefore, as indicated in the notice of assignment, the parties must now confirm their consent in writing.<sup>1</sup>

Accordingly, the parties are DIRECTED that on or before January 17, 2006 each party shall complete and send to the Clerk of the Court the attached consent form.

DONE, this 5<sup>th</sup> day of January, 2006.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The undersigned Magistrate Judge cannot enter a scheduling order, rule on any dispositive motions, or proceed in this action without written consent from all parties.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA

_____	)	
	)	
Plaintiff(s),	)	
	)	
v.	)	CIVIL ACTION NO. _____
	)	
_____	)	
	)	
Defendant(s).	)	

**CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter who previously have indicated their consent to the jurisdiction of a Magistrate Judge of this Court, hereby confirm in writing their consent to a United States Magistrate Judge conducting any and all further proceedings in the case, including trial, and ordering the entry of a final judgment.

_____	_____
Date	Signature
	_____
	Counsel For ( <b>print</b> name of all parties)
	_____
	Address, City, State Zip Code
	_____
	Telephone Number

**DO NOT FILE THIS DOCUMENT ELECTRONICALLY.**

**Please mail to:**  
**Clerk, United States District Court**  
**Post Office Box 711**  
**Montgomery, AL 36101**